

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)
)
 v.) Criminal No. 04-52 Erie
)
YAKEEN ROGERS)

MOTION TO CONTINUE TRIAL DATE

AND NOW, comes the defendant, YAKEEN ROGERS, by his attorney, Thomas W. Patton, Assistant Federal Public Defender, and files this motion to continue trial date, in support of which sets forth as follows:

1. The defendant, Yakeen Rogers, has been charged in a one-count indictment with violation of Title 21, U.S.C. §§ 841(a)(1) & 841(b)(1)(B)(iii); possession with intent to distribute and distribution of five (5) grams or more of cocaine base.

2. Pursuant to an Order of Court dated October 12, 2005, trial is set to begin October 24, 2005.

3. The parties are negotiating a settlement of this matter, however, certain issues need to be resolved in Mr. Rogers' state court case before plea negotiations can be finalized.

4. Accordingly, counsel respectfully asks that this court continue the case to the term of court beginning March 13, 2006.

5. Assistant United States Attorney Marshall J. Piccinini does not object to this continuance.

WHEREFORE, defendant, Yakeen Rogers, respectfully requests that the trial be continued to the March 2006 term of court.

Respectfully submitted,

/s/ Thomas W. Patton

Thomas W. Patton

Assistant Federal Public Defender

PA ID #88653